IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.592 OF 2007

1. Raichna Khapya Shinde
r/o Kapadgaon, Tal.Phaltan

2. Papya Khapya Shinde
r/o Water colony,
Tal.Khandala Dist.Satara ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.Vivek Salunke for Mr.P.B.Shah Advocate for Applicants
Mr.K.V.Saste, A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : MARCH 26, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking bail in C.R.No.76 of 2006 of Saswad Police Station. The said case is mainly under Sections 399 and 402 of IPC.

3. It is the prosecution case that on 8.7.2006 the applicants along with other accused had gathered outside the house of one Sudam Kakade at about 2.30 a.m. All the accused persons were armed with various weapons and they had gathered outside the house of the complainant in order to commit dacoity. The complainant informed the police. Police reached to the spot. Police chased and managed to apprehend one accused. The other accused persons ran away. It is the prosecution case that the present applicants are amongst those persons who ran away.

4. In the present case, the investigation is over. It is an admitted fact that the applicants were not known to the complainant nor did any of the witnesses know the applicants prior to the incident. No identification parade has been held in respect of the present applicants. There is no recovery at the instance of the applicants. In this view of the matter, I am inclined to grant bail to the applicants.

5. Each of the applicants to be released on bail

in the sum of Rs.20,000/- (Rs.Twenty thousand only) with one or two sureties to make up the said amount in connection with C.R.No.76 of 2006 of Saswad Police Station. The applicant shall report to the concerned Police Station, once in a week.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]